

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO on the)	
relation of State Engineer,)	
)	
Plaintiff,)	
)	69cv07941-BB
-v-)	
)	RIO CHAMA STREAM SYSTEM
ROMAN ARAGON et al.,)	
)	
Defendants.)	
_____)	

SECOND AMENDMENT TO SCHEDULING ORDER
FOR ADJUDICATION OF WILD AND SCENIC RIVER CLAIM

THIS MATTER is before the Special Master on the August 14, 2007, Joint Status Report on Wild and Scenic River Act Claim (Docket No. 8758) filed by the State of New Mexico, *ex. rel.* State Engineer (State) and the United States of America (United States).

The adjudication of the United States' federal reserved water right claim for the Rio Chama Wild and Scenic River is guided by the July 18, 2005, Initial Scheduling and Pretrial Order for the Adjudication of Wild and Scenic River Claims (No. 7952), as amended by Order entered July 12, 2007 (No. 8730). The State and United States have now proposed a schedule for addressing various issues and the potential concerns of two acequia associations. In lieu of a litigation schedule, the State and United States propose to file status reports with the Court every 90 days during the course of the negotiations.

Under the circumstances, I find that the proposals advanced for resolving the Wild and Scenic River claim are reasonable.

IT IS ORDERED, therefore, that the Initial Scheduling and Pretrial Order is further amended

as follows:

1. No later than **January 31, 2008**, the State and the United States shall report to the Court whether they have reached agreement on the additional issues. If no agreement has been reached, the parties shall request that a status conference be held to schedule further proceedings.

2. If the State and the United States are successful in reaching an agreement, they shall have 90 days from the date of the agreement during which to address any concerns raised by the acequia associations, and to file a status report with the Court.

3. The State and United States shall file the next status report on the progress of their negotiations no later than **November 30, 2007**.

IT IS SO ORDERED.

Vickie L. Gabin

SPECIAL MASTER